
PART A
GENERAL SAFETY AND HEALTH PROVISIONS

WAC 296-155-001 Foreword.

- (1) This chapter has been compiled with the purpose of consolidating safety and health construction safety standards into one chapter of the Washington Administrative Code, by the promulgation of the standards contained herein. It is also the intent that the safety standards of the Washington state department of labor and industries, will be at least as effective as those adopted by the U.S. Department of Labor and administered by the Occupational Safety and Health Administration as published in the Code of Federal Regulations. The department of labor and industries is incorporating many of the preexisting construction safety standards and adding new standards under this chapter.
- (2) Attention is called to the fact that certain Washington state standards contain standards and/or regulations applicable to all industries. These include, but are not limited to: The code for boilers and pressure vessels; the code for pressure piping; the general industrial safety and health standards; the general occupational health standards; regulations of the department of social and health services..

[Statutory Authority: Chapter 49.17 RCW. 94-15-096 (Order 94-07), § 296-155-001, filed 7/20/94, effective 9/20/94; Order 76-29, § 296-155-001, filed 9/30/76; Order 74-26, 296-155-001, filed 5/7/74, effective 6/6/74.]

WAC 296-155-003 Subsections, subdivisions, items, subitems, and segments.

- (1) That portion of section numeration appearing after the chapter designation appears in either a three digit or a five digit format (e.g. WAC 296-24-330 and 296-24-30002). The final two digits of the section number are implied decimal extensions of the first three digits and represent a further division of the three digit enumeration.
- (2) Sections of this chapter may be divided into subsections (1), (2), (3), etc., which may in turn be divided into subdivisions (a), (b), (c), etc., which may be further divided into items (i), (ii), (iii), etc., which may be further divided into subitems (A), (B), (C), etc., which may be further divided into segments (aa) [(I)], (bb) [(II)], (cc) [(III)], etc., all according to the following hierarchy, e.g.

Sections	296-24-330 and 296-24-33002
Subsections	(1) (2)
Subdivisions	(a) (b)
Items	(i) (ii)
Subitems	(A) (B)
Segments	I II

Note: “Part” as used in this standard means a major division of this chapter relating to a specific topic or topics and containing various related sections.

[Statutory Authority: RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-003, filed 1/21/86; Order 74-26, § 296-155-003, filed 5/7/74, effective 6/6/74.]

WAC 296-155-005 Purpose and scope.

- (1) The standards included in this chapter apply throughout the state of Washington, to any and all work places subject to the Washington Industrial Safety and Health Act (chapter 49.17 RCW), where construction, alteration, demolition, related inspection, and/or maintenance and repair work, including painting and decorating, is performed. These standards are minimum safety requirements with which all industries must comply when engaged in the above listed types of work.
- (2) If a provision of this chapter conflicts with a provision of the general safety and health standard (chapter 296-24 WAC), the general occupational health standard (chapter 296-62 WAC), or the safety and health core rules (chapter 296-800 WAC), the provision of this chapter shall prevail. When a provision of this chapter conflicts with a provision of another vertical safety standard applying to the place of work, the provisions of the vertical standard of specific application shall prevail.

[Statutory Authority: RCW 49.17.010, .040, .050. 01-11-038 (Order 99-36), § 296-155-005, filed 05/09/01, effective 09/01/01. Statutory Authority: RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-005, filed 1/21/86. Statutory Authority: RCW 49.17.040, 49.17.050, 49.17.240, chapters 42.30 and 43.22 RCW. 80-17-014 (Order 80-20), § 296-155-005, filed 11/13/80; Order 76-29, § 296-155-005, filed 9/30/76; Order 74-26, § 296-155-005, filed 5/7/74, effective 6/6/74.]

WAC 296-155-006 Equipment approval by nonstate agency or organization.

Whenever a provision of this chapter states that only that equipment or those processes approved by an agency or organization other than the department of labor and industries, such as the Underwriters Laboratories or the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH), shall be utilized, that provision shall be construed to mean that approval of such equipment or process by the designated agency or group shall be prima facie evidence of compliance with the provisions of this chapter.

[Statutory Authority: Chapter 49.17 RCW. 94-15-096 (Order 94-07), filed 07/20/94, effective 09/20/94; Order 74-26, § 296-155-006, filed 5/7/74, effective 6/6/74.]

WAC 296-155-007 Incorporation of standards of national organization.

Whenever a provision of this chapter incorporates by reference a national code or portion thereof which has been adopted by and is currently administered by another state agency, compliance with those provisions adopted and administered by such other state agency, if from a more recent edition of such national code, will be deemed to be prima facie evidence of compliance with the provisions of this chapter.

[Order 74-26, § 296-155-007, filed 5/7/74, effective 6/6/74.]

WAC 296-155-008 Incorporation of standards of federal agency.

- (1) Whenever a provision of this chapter incorporates therein provisions of the Code of Federal Regulations (CFR) and changes thereto, or any other regulations adopted by an agency of the federal government, that provision of this chapter shall be construed to mean that compliance with such regulations shall be prima facie evidence of compliance with the provisions of this chapter.
- (2) Whenever a provision of this chapter incorporates therein provisions of the Code of Federal Regulations, the provisions so incorporated shall be those in effect on the date of effectiveness of this chapter, unless the content of the incorporating section specifies otherwise.

[Order 76-29, § 296-155-008, filed 9/30/76; Order 74-26, § 296-155-008, filed 5/7/74, effective 6/6/74.]

WAC 296-155-009 Equipment whether or not owned by, or under control of the employer.

- (1) It is the employer's responsibility to ensure that any defective equipment or tools are not used.
- (2) When any tool or piece of equipment fails to meet the requirements of any safety standard or recognized safe practice, the tool or equipment shall not be used.

[Statutory Authority: RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-009, filed 1/21/86.]

WAC 296-155-010 Variance and procedure.

Realizing that conditions may exist in operations under which certain state standards will not have practical application, the director of the department of labor and industries or his/her authorized representative may, pursuant to this section, sections eight or nine of the Washington Industrial Safety and Health Act (chapter 80, Laws of 1973, RCW 49.17.080 and 49.17.090) and appropriate administrative rules of this state and the department of labor and industries and upon receipt of application and after adequate investigation by the department, permit a variation from these requirements when other means of providing an equivalent measure of protection are afforded. Such variation granted shall be limited to the particular case or cases covered in the application for variance and may be revoked for cause. The order granting a variance shall be conspicuously posted on the premises and shall remain posted during the time it is in effect. A copy of the variance shall be available at the work site. All requests for variances from safety and health standards included in this chapter, shall be made in writing to the director of the department of labor and industries at Olympia, Washington, or his/her duly authorized representative, Department of Labor and Industries, P.O. Box 44600, Olympia, Washington 98504-4600.

[Statutory Authority: Chapter 49.17 RCW. 94-15-096 (Order 94-07), § 296-155-010, filed 7/20/94, effective 9/20/94; Statutory Authority: RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-010, filed 1/21/86; Order 74-26, 296-155-010, filed 5/7/74, effective 6/6/74.]

WAC 296-155-012 Definitions applicable to all sections of this chapter.

Note: Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section. Certain parts of this chapter contain definitions as they apply to that particular part.

“Approved” means approved by the director of the department of labor and industries or his/her authorized representative: Provided, however, That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or the bureau of mines, the provisions of WAC 296-155-006 shall apply.

“Assistant director” means the individual in charge of the division of consultation and compliance, department of labor and industries, or an authorized representative.

“Authorized person” means a person approved or assigned by the employer to perform a specific type of duty or duties or be at a specific location or locations at the workplace.

“Competent person” means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective action to eliminate them.

“Confined space” means a space that:

- (1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and
- (2) Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and
- (3) Is not designed for continuous employee occupancy.

“Construction work” shall mean and include all or any part of excavation, construction, erection, alteration, repair, demolition, and dismantling, of buildings and other structures and all operations in connection therewith; the excavation, construction, alteration and repair of sewers, trenches, caissons, conduits, pipe lines, roads and all operations pertaining thereto; the moving of buildings and other structures, and to the construction, alteration, repair, or removal of wharfs, docks, bridges, culverts, trestles, piers, abutments or any other construction, alteration, repair or removal work related thereto.

WAC 296-155-012 (Cont.)

“Defect” means any characteristic or condition which tends to weaken or reduce the strength of the tool, object, or structure of which it is a part.

“Department” means the department of labor and industries.

“Designated person” means **“authorized person”** as defined in this section.

“Director” means the director of the department of labor and industries, or his/her designated representative.

“Division” means the division of consultation and compliance of the department.

“Employer” means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, that any person, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee.

“Equipment” means all machinery, devices, tools, facilities, safeguards, and protective construction used in connection with construction operations.

“Ground fault circuit interrupter” means a fast acting circuit breaker that is sensitive to very low levels of current leakage to ground. The device is designed to limit the electric shock to a current and time duration below that which can cause serious injury.

“Hazard” means that condition, potential or inherent, which is likely to cause injury, death, or occupational disease.

“Hazardous substance” means a substance which, by reason of being explosive, flammable, poisonous, corrosive, oxidizing, irritating, or otherwise harmful, is likely to cause death or injury.

“Maintenance” means the work of keeping a building, machine, roadway, etc., in a state of good repair.

“Part” means a major division, of this chapter, relating to a specific topic or topics and containing various sections, subsections, etc.

“Permit-required confined space (permit space)” means a confined space that has one or more of the following characteristics:

- (1) Contains or has a potential to contain a hazardous atmosphere;
- (2) Contains a material that has the potential for engulfing an entrant;
- (3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
- (4) Contains any other recognized serious safety or health hazard.

“Qualified” means one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated their ability to solve or resolve problems relating to the subject matter, the work, or the project.

WAC 296-155-012 (Cont.)

“Repair” means to restore a building, machine, roadway, etc., to an original state after damage or decay.

“Safety factor” means the ratio of the ultimate breaking strength of a member or piece of material or equipment to the actual working stress or safe load when in use.

“Safety and health standard” means a standard which requires the adoption or use of one or more practices, means, methods, operations, or processes reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

“Shall” means that the provision(s) of the standard are mandatory.

“Substantial” means constructed of such strength, of such material, and of such workmanship, that the object referred to will withstand all normal wear, shock and usage.

“Standard safeguard” means a device designed and constructed with the object of removing the hazard of accident incidental to the machine, appliance, tool, building, or equipment to which it is attached.

Standard safeguards shall be constructed of either metal or wood or other suitable material or a combination of these. The final determination of the sufficiency of any safeguard rests with the director of the department of labor and industries through the division of consultation and compliance.

“Suitable” means that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

“Working day” means a calendar day, except Saturdays, Sundays, and legal holidays as set forth in RCW 1.16.050, as now or hereafter amended, and for the purposes of the computation of time within which an act is to be done under the provisions of this chapter, shall be computed by excluding the first working day and including the last working day.

“Worker,” “personnel,” “man,” “person,” “employee,” and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, mean an employee of an employer who is employed in the business of their employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is their personal labor for an employer whether by manual labor or otherwise.

“Work place” means any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all work places covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

Abbreviations used in this chapter:

“ANSI” means American National Standards Institute.

“API” means American Petroleum Institute.

“ASA” means American Standards Association.

“ASAE” means American Society of Agricultural Engineers.

“ASHRE” means American Society of Heating and Refrigeration Engineers.

“ASME” means American Society of Mechanical Engineers.

“ASTM” means American Society of Testing and Materials.

“AWS” means American Welding Society.

“BTU” means British thermal unit.

“BTUH” means British thermal unit per hour.

“CFM” means cubic feet per minute.

WAC 296-155-012 (Cont.)

“CFR” means Code of Federal Register.
“CGA” means Compressed Gas Association.
“CIE” means Commission Internationale de l' Eclairage.
“DOT” means department of transportation.
“FRP” means fiberglass reinforced plastic.
“GPM” means gallons per minute.
“ICC” means Interstate Commerce Commission.
“ID” means inside diameter.
“LPG” means liquefied petroleum gas.
“MCA” means Manufacturing Chemist Association.
“MSHA” means United States Department of Labor, Mine Safety and Health Administration.
“NBFU” means National Board of Fire Underwriters.
“NEMA” means National Electrical Manufacturing Association.
“NFPA” means National Fire Protection Association.
“NTP” means normal temperature and pressure.
“OD” means outside diameter.
“PSI” means pounds per square inch.
“PSIA” means pounds per square inch absolute.
“PSIG” means pounds per square inch gauge.
“RMA” means Rubber Manufacturers Association.
“SAE” means Society of Automotive Engineers.
“TFI” means The Fertilizer Institute.
“TSC” means Trailer Standard Code.
“UL” means Underwriters' Laboratories, Inc.
“USASI” means United States of America Standards Institute.
“USC” means United States Code.
“USCG” means United States Coast Guard.
“WAC” means Washington Administrative Code.
“WISHA” means Washington Industrial Safety and Health Act of 1973.

[Statutory Authority: Chapter 49.17 RCW. 95-04-007 (Order 94-24), § 296-155-012, filed 1/18/95, effective 3/1/95; RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-012, filed 1/21/86; Order 74-26, § 296-155-012, filed 5/7/74, effective 6/6/74.]

WAC 296-155-015 Education and first-aid standards.

It shall be the duty of every employer to comply with such standards and systems of education for safety as shall be, from time to time, prescribed for such employer by the director of labor and industries or by statute. Refer to WAC 296-155-100 through 296-155-135 for additional requirements.

[Statutory Authority: Chapter 49.17 RCW. 94-15-096 (Order 94-07), § 296-155-015, filed 7/20/94, effective 9/20/94; Order 74-26, § 296-155-015, filed 5/7/74, effective 6/6/74.]

WAC 296-155-020 Housekeeping.

- (1) All places of employment shall be kept clean to the extent that the nature of the work allows.
- (2) To facilitate cleaning, every floor, working surface, and passageway shall be kept free from protruding nails, splinters, loose boards or openings.
- (3) Cleaning and sweeping shall be performed in such a manner as to minimize the contamination of the air with dust.

WAC 296-155-020 (Cont.)

- (4) In areas where workers may pass or perform duties, all debris and accumulations of material shall be removed. Hoses and electrical conductors across aisles or passageways shall be covered or suspended overhead so that there is no tripping hazard.
- (5) Where mechanical handling equipment is used, sufficient safe clearances shall be allowed for aisles, at loading docks, through doorways and wherever turns or passages must be made. Such aisles and passageways shall be marked.
- (6) Storage of material shall not create a hazard. Bags, containers, bundles, construction materials and other equipment shall be stored in tiers, stacked, blocked or interlocked. They shall be limited in height so that they are stable and secure against falling, sliding, or collapse.
- (7) Free access shall be maintained at all times to all exits, fire alarm boxes, fire extinguishing equipment, and any other emergency equipment. Free access means clear of all obstructions.
- (8) Working and storage areas shall be kept free from accumulation of materials that pose hazards of tripping, fire, explosion, or pest harborage. Vegetation control shall be exercised.
- (9) All lunchrooms, washrooms and restrooms shall be kept in a clean and sanitary condition. Garbage cans in lunchrooms and restrooms shall be equipped with fitted covers and the contents disposed of daily.
- (10) During the course of construction, alteration, repair or demolition of buildings and structures, employers shall ensure continuous clean-up of their work area, including removal of all rubble, scrap, boxes, crates and excess material to trash disposal areas.
- (11) Containers shall be provided for the collection and separation of waste, trash, oily or used rags, and other refuse. Containers used for garbage and other oily, flammable or hazardous wastes, such as caustics, acids, harmful dusts or similar materials shall be equipped with covers. Common garbage and other waste shall be disposed of at frequent and regular intervals. Chemical agents or substances which might react to create a hazardous condition shall be stored and disposed of separately. All hazardous wastes which are subject to the requirements of chapter 173-303 WAC shall be handled, accumulated and disposed of in accordance with that chapter.
- (12) All floors and walkways shall be maintained in good condition. Loose or broken components shall be repaired or replaced. Secure footing shall be ensured on all floors and walkways.

[Statutory Authority: RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-020, filed 1/21/86; Order 74-26, § 296-155-020, filed 5/7/74, effective 6/6/74.]

WAC 296-155-030 Acceptable certifications.

- (1) Pressure vessels. Current and valid certification by an insurance company or regulatory authority shall be deemed as acceptable evidence of safe installation, inspection, testing of pressure vessels provided by the employer.
- (2) Boilers. Boilers provided by the employer shall be deemed to be in compliance with the requirements of this section when evidence of current and valid certification by an insurance company or regulatory authority attesting to the safe installation, inspection, and testing is presented.
- (3) Other requirements. Regulations prescribing specific requirements for other types of pressure vessels and similar equipment are contained in Parts D and M of this chapter.

[Order 74-26, § 296-155-030, filed 5/7/74, effective 6/6/74.]

WAC 296-155-035 General requirements.

- (1) The use of any machinery, tool, material, or equipment which is not in compliance with any applicable requirements of this chapter is prohibited. Such machine, tool, material, or equipment shall either be identified as unsafe by tagging or locking the controls to render them inoperable or shall be physically removed from its place of operation.
- (2) The employer shall permit only those employees qualified by training or experience to operate equipment and machinery.
- (3) Employees shall use safeguards provided for their protection.
- (4) Suitable clothing shall be worn for the job. Sufficient and proper clothing shall be worn to assist in preventing scratches, abrasions, slivers, sunburn, hot liquid burns, or similar hazards. Loose or ragged clothing, scarfs or ties shall not be worn while working around moving machinery.
- (5) Where work is in progress above workers, a catch platform or other means shall be provided to protect those working below. All workers shall be notified. One completed floor shall be maintained between workers and steel or concrete work above.
- (6) Employees shall report to their employers the existence of any unsafe equipment or method or any other hazard which, to their knowledge is unsafe and where such unsafe equipment or method or other hazard exists in violation of this chapter it shall be corrected.
- (7) Nothing herein contained shall prevent the use of existing equipment during its lifetime provided it shall be properly safeguarded, maintained in good condition, be in conformity with applicable safety and health standards, and shall conform to safety factors for the material used, as herein provided.
- (8) As construction progresses, the component parts of structures shall be secured or braced to prevent collapse or failure.
- (9) Prompt and safe removal of injured employees from elevated work locations, trenches and excavations shall be ensured prior to commencement of work.

[Statutory Authority: RCW 49.17.040 and 49.17.050. 86-03-074 (Order 86-14), § 296-155-035, filed 1/21/86; Order 74-26, § 296-155-035, filed 5/7/74, effective 6/6/74.]

WAC 296-155-040 Safe place standards.

WISHA Regional Directive 80-15A

- (1) Each employer shall furnish to each employee a place of employment free from recognized hazards that are causing or likely to cause serious injury or death to employees.
- (2) Every employer shall require safety devices, furnish safeguards, and shall adopt and use practices, methods, operations, and processes which are reasonably adequate to render such employment and place of employment safe. Every employer shall do everything reasonably necessary to protect the life and safety of employees.
- (3) No employer shall require any employee to go or be in any employment or place of employment which is hazardous to the employee.

WAC 296-155-040 (Cont.)

- (4) No employer shall fail or neglect:
 - (a) To provide and use safety devices and safeguards.
 - (b) To adopt and use methods and processes reasonably adequate to render the employment and place of employment safe.
 - (c) To do everything reasonably necessary to protect the life and safety of employees.
- (5) No employer, owner, or lessee of any real property shall construct or cause to be constructed any place of employment that is hazardous to the employee.
- (6) No person shall do any of the following:
 - (a) Remove, displace, damage, destroy or carry off any safety device, safeguard, notice, or warning, furnished for use in any employment or place of employment.
 - (b) Interfere in any way with the use thereof by any other person.
 - (c) Interfere with the use of any method or process adopted for the protection of any employee, including themselves, in such employment, or place of employment.
 - (d) Fail or neglect to do everything reasonably necessary to protect the life and safety of employees.
- (7) The use of intoxicants or debilitating drugs while on duty is prohibited. Employees under the influence of intoxicants or drugs shall not be permitted in or around worksites. This subsection (7) shall not apply to employees taking prescription drugs or narcotics as directed and prescribed by a physician, provided such use does not endanger the employee or others.

[Statutory Authority: Chapter 49.17 RCW. 94-15-096 (Order 94-07), § 296-155-040, filed 7/20/94, effective 9/20/94; Order 74-26, § 296-155-040, filed 5/7/74, effective 6/6/74.]